

**53A-28-402 Unlimited ad valorem tax as pledge of full faith and credit -- State Tax Commission duties -- Property tax abated.**

- (1)
- (a) In each year after the issuance of general obligation notes under this chapter and until all outstanding notes are retired, there is levied a direct annual tax on all real and personal property within the state subject to state taxation, sufficient to pay all principal of and interest on the general obligation notes as they become due.
  - (b) If money expected to be intercepted under Section 53A-28-302 is expected to be insufficient to reimburse the state for its payments of school districts' scheduled debt service payments or if it is necessary for the state treasurer to borrow as provided in Section 53A-28-401 and amounts to be intercepted under Section 53A-28-302 are expected to be insufficient to timely pay the general obligation notes issued or other borrowing undertaken under that section, the state treasurer shall certify to and give notice to the state tax commission of the amount of the deficiency.
  - (c) After receipt of that certified notice from the state treasurer, the state tax commission shall:
    - (i) immediately fix the tax rate necessary and levy direct ad valorem property tax on all real and personal property in the state subject to state taxation sufficient to provide money in the amount of the deficiency stated in the notice; and
    - (ii) require that the tax be collected and remitted as soon as may be in the ordinary course of ad valorem tax levy and collection.
- (2) To the extent that other legally available revenues and funds of the state are sufficient to meet the certified deficiency, the property tax for this purpose is abated.

Amended by Chapter 342, 2011 General Session